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WOMAN'S TEN-HOUR LAW APPLICABLE TO NURSES IN CITY HOSPITALS

Following His Decision on That Point, Municipal Judge Imposes \$25 Fine on City in Each Case Brought Against It.

Municipal Judge W. N. Gemmill yesterday decided that the provisions of the women's ten-hour law were applicable to nurses in city hospitals, and assessed a fine of \$25 against the municipality in each case brought against it by the state.

On the contention of the city that nursing was a profession, and not a trade or business, Judge Gemmill said:

"The broad purpose of the ten-hour law was to remove from women employed in any capacity the burden and stress of long and wearisome hours of toil, the deleterious effect of which is recognized everywhere. It would be hard to conceive of more onerous, wearisome and nerve-racking toil than that of a nurse who is in constant attendance upon the sick and dying. It would seem rather that not only the health and well-being of the nurse, but also the necessity for the best care of her patient would make it of the utmost importance that the law lim-

iting the hours of employment to ten hours each day should be applied to her."

Two points decided by Judge Gemmill were considered of great importance. One was that nurses employed at a stated salary do not come under the class of professional occupations exempted by the provisions of the law, and the other that the state has the right to prosecute a city criminally for violating a law of the state.

Lawyers declared the decision on the latter point established a precedent. Attorneys representing the city contended that as the municipality is the agent of the state in the operation of hospitals, it was not liable to criminal prosecution, because this would in fact mean the state was prosecuting itself.

Judge Gemmill held that when the state granted the city power to erect, maintain and operate hospitals, it necessarily meant that the city must do so according to the law of the state, not only the law at the time the hospitals